

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MASONRY SECURITY PLAN OF
WASHINGTON, et al.,

Plaintiffs,

v.

WEST COAST TILE, INC., et al.,

Defendants.

Case No. C06-0735RSL

ORDER DISMISSING CASE

This matter comes before the Court on plaintiff's "Motion for Order of Dismissal with Prejudice" (Dkt. # 11) Defendants have not filed an answer or motion for summary judgment. Pursuant to Rule 41, "an action may be dismissed by the plaintiff without order of court (i) by filing a notice of dismissal at any time before service by the adverse party of an answer or of a motion for summary judgment." Fed. R. Civ. P. 41(a). Accordingly, the Court will treat the instant motion to dismiss with prejudice as a notice of dismissal with prejudice. Therefore, IT IS HEREBY ORDERED that this action is DISMISSED WITH PREJUDICE.

DATED this 25th day of August, 2006.



Robert S. Lasnik
United States District Judge

ORDER DISMISSING CASE